

Resolutions – Adopted by the MTSBA Membership October 19, 2012

Summary of the MTSBA Membership's Recommendations:

Part I. BE IT RESOLVED that MTSBA develop and adopt a resolution that will carry forward from year to year through the 2017 Legislative Session, specifying the process to be followed and the topics to be addressed by the K-12 Vision Group.

Part II. BE IT RESOLVED that MTSBA's funding priorities be focused first on recommendations of the K-12 Vision Group as outlined in Part II below.

Part III. BE IT RESOLVED that MTSBA use remaining time and resources available after pursuit of the recommendations of the K-12 Vision Group on other issues raised by the membership to be addressed to the extent practical after resources are committed to achieving the priorities identified by the K-12 Vision Group.

Part IV. BE IT RESOLVED that MTSBA retain the carry over resolutions adopted by the membership last year with their current designations and undertake the actions called for under such resolutions in the same manner and subject to the same limitations as recommended for resolutions approved by the membership under Part III above.

Part I: Resolution 1 -- K-12 Vision Group – Process to be Followed from 2012-2017 - The MTSBA Membership recommends adoption of a resolution specifying an ongoing process for convening the K-12 Vision Group from year to year.

1. MTSBA will continue to convene the K-12 Vision Group on an ongoing basis through the 2017 Legislative Session to provide continuing guidance and recommendations aligned with the "Vision for Public Education in Montana" developed by the K-12 Vision Group in 2012. The work of the K-12 Vision group shall be designed to culminate with consensus recommendations regarding the definition of the basic system of free quality schools that is scheduled to be reviewed by the Legislature during the 2017 Legislative Session pursuant to 20-9-309, MCA.
2. The membership of the K-12 Vision Group will continue to include trustees, business managers and administrators representing all MTSBA caucus groups and shall be annually revised and/or renewed prior to November 1, to incorporate nominations from the School Administrators of Montana, Montana Rural Education Association and Montana Association of School Business Officials.
3. MTSBA shall extend the opportunity for full collaborative partnerships in facilitating the ongoing work of the K-12 Vision Group to SAM, MREA and MASBO.
4. MTSBA shall facilitate the K-12 Vision Group's work using knowledge-based decision making processes, emphasizing careful, deliberate and comprehensive analysis of issues, the use of open dialogue (the purpose of which is to inform) prior to deliberation (the

purpose of which is to decide), pursuit of insight regarding what the involved groups' members want, need and prefer, and consideration of the ethical implications of our choices and mitigation of disadvantage to certain aspects of the respective groups' members that might be caused by recommendations made by the K-12 Vision Group.

5. MTSBA shall seek to collaborate with and inform legislators from both political parties as well as key representatives of the offices of the Governor, the Board of Public Education and the Superintendent of Public Instruction of the progress and ongoing work of the K-12 Vision Group to ensure open communications and the availability of legislative and executive branch perspectives regarding such work.
6. MTSBA shall start to engage other external stakeholders outside of public education circles to increase awareness of the work of the K-12 Vision Group and to identify common interests and goals and opportunities for collaboration. There should be no static identification of "outside interest" groups but rather a process for highlighting broad public awareness of the work of the K-12 Vision Group and emphasizing an open invitation for the public to weigh in on such work. This might be accomplished, for example, through a combination of public opinion polling, facilitated community dialogue, outreach to business, higher education and other community leaders and public awareness campaigns. The key will be to ensure that we generate broad public support for the recommendations of the K-12 Vision Group over time.
7. The work of the K-12 Vision Group shall be focused on the following:
 - a. A global look at the current funding formula for schools with an eye toward determining how the formula could be simplified, made more responsive to need, equitable and adequate to allow schools throughout the state to provide the basic system of free quality schools as that term is defined in 20-9-309, MCA.

Specifics to be reviewed as part of the global look at the formula shall include:

 - i. Whether the formula sufficiently promotes local control. If not, recommendations should be developed regarding how the formula could be improved to better vest authority in the elected trustees to make financial decisions.
 - ii. Review of weighting adjustments in current formula and identify possible enhancements. This inquiry shall include analysis of what other states do to account for economies of scale and address needs of school systems in different circumstances.
 - iii. Whether the current formula is sufficiently responsive to the educationally-relevant factors identified in 20-9-309, MCA, including:
 1. the number of students in a district;
 2. the needs of isolated schools with low population density;
 3. the needs of urban schools with high population density;
 4. the needs of students with special needs, such as a child with a disability, an at-risk student, a student with limited English proficiency, a child who is qualified for services under 29 U.S.C. 794, and gifted and talented children;
 5. the needs of American Indian students; and
 6. the ability of school districts to attract and retain qualified educators and other personnel.

- iv. Recommendations regarding how the varying challenges experienced by different school districts throughout the state of Montana can be met to ensure that the needs of every child can be met.
- v. Whether there is a practical way to better predict and incorporate relevant inflation into the formula that is based on the predominant expenditures of school districts.

b. As part of its work in identifying a simple, adequate, equitable and rational funding formula, the K-12 Vision Group shall undertake the following:

- i. An updated review of the differential that exists between current funding and funding necessary to meet the definition of the basic system of free quality schools under 20-9-309, MCA.
- ii. Revenue necessary to eliminate the differential;
- iii. A long range plan to eliminate the differential; and
- iv. A communications plan to create the political will to accomplish the elimination of the differential.

HOUSE BILL NO. 736

2003 Session

INTRODUCED BY R. BROWN, TESTER, F. THOMAS, WANZENRIED

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A K-12 PUBLIC SCHOOL RENEWAL COMMISSION; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, public schools are the foundation of Montana, providing citizens with the tools they need to strengthen our state's way of life and extending the principles of liberty; and

WHEREAS, approximately 16,000 full-time and part-time public school teachers guide over 149,000 students in the state of Montana; and

WHEREAS, as prescribed by Article X, section 1, of the Montana Constitution, a fundamental goal of the State of Montana is to establish a system of quality education that will develop the full educational potential of each person; and

WHEREAS, it is consistently proven on national assessments that Montana's excellent educators instruct superior students, and this fine system should be strengthened; and

WHEREAS, the Board of Public Education, of which the Superintendent of Public Instruction and the Governor are members, is constitutionally charged with general supervision over the public school system and other public educational institutions as may be assigned by law; and

WHEREAS, the first step in developing a competitive economy is a quality education system producing a qualified workforce; and

WHEREAS, due to repeated adjustments, revisions, and court decisions, the statutes governing the education system in Montana are plagued by inconsistent language, conflicting provisions, confusing funding mechanisms, and overlapping organizational structures that make it difficult for educators, parents, the legal community, and the general public to understand; and

WHEREAS, in order for the State of Montana to provide for an effective and efficient system of free quality public elementary and secondary education, a comprehensive renewal of education in Montana would be in the best interests of all of the state; and

WHEREAS, the Governor of Montana, the Board of Public Education, the Superintendent of Public Instruction, and the Montana Legislature should convene a commission to examine the various options available for the renewal of public education in Montana.

1

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:


3

4 **NEW SECTION. Section 1. K-12 public school renewal commission.** (1) There is a K-12 public
5 school renewal commission established to propose changes and new provisions regarding the several
6 components of K-12 public education in Montana, including but not limited to:

- 7 (a) the revenue available for public education;
8 (b) the structure of school district governance;
9 (c) the methods of funding public education;
10 (d) the role of the state government in public education; and
11 (e) the role of the federal government in public education.

12 **(2) Core membership of** the renewal commission must include the governor, the presiding officer of the
13 board of public education, the superintendent of public instruction, the speaker of the house of representatives,
14 the president of the senate, the minority leader of the house of representatives, and the minority leader of the
15 senate. Core members may select a designee to represent the core member on the renewal commission.

16 (3) **The governor, in consultation with the core membership, shall:**

17  (a) **identify no less than 10 and no more than 25 entities who shall designate a representative to serve**
18 **on the renewal commission;**

19 (B) APPOINT A REPRESENTATIVE FROM THE JUVENILE CORRECTIONS DIVISION OF THE DEPARTMENT OF
20 CORRECTIONS TO SERVE ON THE RENEWAL COMMISSION;

21 ~~(b)(C)~~ request assistance from other legislative and executive branch agencies; and

22 ~~(c)(D)~~ in addition to any legislative appropriation, accept donations for the purposes of carrying out the
23 duties of the renewal commission required in this section.

24 (4) The members of the renewal commission ~~shall serve without compensation or reimbursement~~
25 APPOINTED PURSUANT TO SUBSECTION (3)(A) MAY BE REIMBURSED for expenses.

26 (5) (a) The renewal commission shall submit a final report of its findings and recommendations to the
27 education and local government interim committee by September 15, 2004.

28 (b) The renewal commission may recommend legislation to the 59th legislature based on the
29 commission's findings.

30 (6) AS USED IN THIS SECTION, THE TERM "K-12 PUBLIC EDUCATION" INCLUDES A STATE YOUTH CORRECTIONAL

1 FACILITY, AS DEFINED IN 41-5-103.

2

3 NEW SECTION. **Section 2. Appropriation.** There is appropriated \$10,000 from the general fund to
4 the board of public education for the biennium beginning July 1, 2003, to support the K-12 public school renewal
5 commission.

6

7 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

8

- END -

Possible Membership List

Youth Correctional Facility
Montana Taxpayers Association
Montana People's Action
Montana School Board Association
MEA/MFT
Montana Rural Education Association
School Administrators Montana
Montana Association of School Business Officials
Montana Association of County Superintendents
Montana Small School Alliance
Montana Association of Student Councils
Montana Wyoming Indian Education Association
Montana Chamber of Commerce
Montana Parent Teachers Association
Montana Quality Education Coalition
Montana Association of Counties
Montana League of Cities and Towns
Montana Economic Development Association
Economic Development Action Group
AFL/CIO Resource Extraction Industries (Timber/Mining)
Montana Farm Bureau
Montana Farmers Union
Montana Association of Oil and Gas Counties
Montana High School Association
Montana AARP
Public at large
Home School
Charter School

The Proceedings of the Montana K-12 Public School Renewal Commission

**Established by House Bill 736
58th Legislative Session
2003**

Prepared by Dr. Dori Burns Nielson

Published by the Montana Board of Public Education

November 29, 2004

I. Executive Summary

On May 1, 2003, Governor Judy Martz signed House Bill 736 into law. (See Appendix A for the full text.) The bill established a Montana K-12 Public School Renewal Commission to study the structure and funding of Montana public schools. HB 736 was introduced by Rep. Ray Brown (R), Rep. Dave Wanzon (D), Sen. Jon Tester (D), and Sen. Fred Thomas (R).

The bill designated seven state officials and legislators as core members. Those core members identified key stakeholder groups to appoint representatives to serve on the Commission. Nominations were received from 16 groups, and 22 additional members were chosen.

The Commission began its work in July of 2003. On September 8, 2004, after many meetings and much deliberation, the Commission arrived at consensus on the following recommendations for changes in Montana K-12 education.

- Building a quality education on the foundation of the Montana Accreditation Standards
- Providing greater flexibility in the school calendar to expand learning opportunities and professional development
- Studying the regionalization of education services
- Eliminating barriers to voluntary consolidation of school districts, both statutory and financial
- Supporting a statewide school district employee insurance pool with state incentives for participation
- Restoring the position of Gifted and Talented Specialist and funding professional development and other outreach services
- Phasing in increased state support for Special Education services
- Providing adequate funding to cover the costs of operating and maintaining quality public elementary and secondary schools
- Modernizing revenue and taxation to promote equalization for taxpayers and schools to balance the benefits and burden
- Supporting state funding to expand kindergarten services [supported by majority consensus with dissenting Commissioners]
- Supporting state funding for *Indian Education for All* curriculum, policies, and rules
- Supporting state-facilitated public/private partnerships for local summer programs and extended school programs [supported by majority consensus with a dissenting Commissioner]
- Recognizing the importance of an adequate infrastructure [physical plant and equipment] as a key component of a quality education

The Commission reported their recommendations to the Legislative Interim Committee on Education and Local Government. (The full report is found in Section II of this report.) The Legislative Committee endorsed the recommendations of the Renewal Commission and urged individual lawmakers to carry the ideas to the 2005 Legislature.

The members of the Commission used a focused decision-making process to arrive at their recommendations. All members had an opportunity to be heard in a frank and respectful manner and all information was shared equally. Decisions were reached after full and open participation, all views were weighed without prejudice, and all relevant information was shared among commissioners before a decision was reached.

The 28 Commission members represented a broad range of education stakeholders, including legislators, parents, state and county officials, educators, and the private sector. They met 17 times over a period of 15 months. The seven members who were designated as the Core Group by HB736 held two organizational meetings in July and August of 2003. They selected an additional 21 members from nominations made by key stakeholder groups.

In addition to the regular meetings of the Commission, members committed additional time to more fully address challenging issues. Three working groups were appointed to focus on Taxation and Revenue, Regional Services, and Barriers to Consolidation. Small groups researched funding formulas, extended school opportunities, cultural education, full-day kindergarten, educator recruitment and retention, and quality infrastructure. Representatives of the Commission met twice with the Legislative Interim Tax Reform Study Committee.

An outpouring of resources and support was received from the public, organizations, and agencies that made presentations and provided studies, reports, maps, publications, and other materials for the Commission.

The Montana K-12 Public School Renewal Commission worked together to comprehensively examine Montana's K-12 education system. The Commission's goal was to offer viable recommendations that would help the children of Montana receive an effective, understandable, adequately funded, sustainable, and efficient education.

II. Findings and Recommendations of the Commission

The School Renewal Commission began their work in the summer of 2003 using a facilitation process provided by the Montana Consensus Council. In March of 2004, after a review of the increasing workload and decreasing budget, the process was modified. With greater reliance on the leadership role of the chair and vice chair, and increased staff support from the Governor's Office and the Board of Public Education, a practical consensus process evolved. Decision making was an open participatory process, encouraging full expression of ideas and opinions before a decision was made. The chair was instrumental in assuring that all members had an opportunity to be heard in a frank and respectful manner, and that all relevant information was shared equally.

Based on the individual merit of the issues, items were moved by consensus agreement to a list which would be considered at a later date. The members then reviewed the items on that list, known as the parking lot, for possible recommendation by the Commission. Votes were taken with a visibly demonstrated "thumbs up" to affirm, "thumbs down" to disagree, or "thumbs sideways" to indicate disagreement but not to the extent of veto. If an item received all thumbs up or had some thumbs sideways, it was considered as a recommendation approved by consensus. If a vote included thumbs down, but had majority support, the recommendation was considered approved by majority consensus.

The recommendations of the Commission were compiled into the report that appears on the next five pages. That report is also available on the Board of Public Education Website at <http://www.bpe.state.mt.us/>. The report of the Commission's Findings and Recommendations was presented to the Legislative Interim Education and Local Government Committee on September 15, 2004, by the Commission Chair, Lieutenant Governor Karl Ohs, and the Vice Chair, Dr. Kirk Miller. The Legislative Committee endorsed the recommendations and urged individual lawmakers to carry the ideas to the 2005 Legislature.

Montana K-12 Public School Renewal Commission Findings and Recommendations, September 15, 2004

The Montana K-12 Public School Renewal Commission will research and provide recommendations regarding the provision of a basic system of free, quality elementary and secondary schools.

HB House Bill 736, passed by the Fifty-third Montana Legislative Assembly, established a Montana K-12 Public School Renewal Commission to propose changes and new provisions regarding the several components of K-12 public education in Montana, including the revenue available for public education, the structure of school district governance, the methods of funding public education, and the roles of state and federal governments in public education.

The twenty-eight members of the Commission held fifteen meetings between July 2003 and September 2004, and are submitting this report of commission findings and recommendations to the Education and Local Government Interim Committee on September 15, 2004. A full report will be published by December 2004.

1.

Concept: Accreditation Standards

Statement: The Commission agrees that the Montana Accreditation Standards are the foundation upon which a Montana quality education should be built.

Vote: Consensus

Date of Vote: October 13, 2003

2a.

Concept: Flexibility

Statement: The Commission recommends greater flexibility in the school calendar and time (days/hours) requirements. The Commission also supports encouraging local school districts to provide expanded learning opportunities addressing the unique learning needs of all students by flexing time and resources.

Vote: Consensus

Date of Vote: August 16, 2004

2b.

Concept: Pupil Instruction Related Days

Statement: The Commission recommends greater flexibility in the school calendar and time (hours/days) requirements, without reducing the minimum aggregate hours of pupil instruction required by law, to allow local school districts to provide expanded professional development opportunities.

Vote: Consensus

Date of Vote: August 16, 2004

3.

Concept: Regionalization of School Services

Statement: The Commission strongly recommends an intensive study of regional Education Service Agencies (ESA) as a key component in restructuring and renewing public education in Montana. Through hours of deliberate discussion, research, and analysis of ESAs in other states, working group members determined that intensive study of this issue is warranted, as the potential benefits of an effective ESA system include:

- enhanced opportunities for students and educators;
- more streamlined and effective partnerships between state and local education governance;
- significant cost savings;
- greater accountability, communication, and coordination between local school districts.

Vote: Consensus

Date of Vote: August 16, 2004

4a.

Concept: Remove Statutory Barriers to Consolidation

Statement: The Commission recommends that statutes be clarified to eliminate barriers to voluntary consolidation of school districts. Eight specific recommendations were identified. The Commission recommends no change in state statute in five specific areas.

Vote: Consensus

Date of Vote: August 16, 2004

4b.

Concept: Remove Financial Barriers to Consolidation

Statement: The Commission recommends that tax inequities between school districts be addressed and that any new funding formula avoid building in disincentives to consolidation. The Commission believes that some structural features of the current funding system and the current taxation system create disincentives to consolidation when such consolidation might otherwise make sense. These structural features include:

- the fact that the basic entitlement is the same for districts of every size;
- the fact that the taxable valuations available to support schools vary widely from district to district

Vote: Consensus

Date of Vote: August 16, 2004

5.

Concept: Educator Recruitment and Retention

Statement: The Commission supports statewide school district employee insurance pooling with state incentives for participation.

Vote: Consensus

Date of Vote: July 19, 2004

6.

Concept: Gifted and Talented

Statement: The Commission supports legislation which would restore the position of Gifted and Talented Specialist in the Office of Public Instruction with an appropriate budget for an advisory council, professional development, liaison activities with post-secondary teacher preparation programs, and other outreach services.

Vote: Consensus

Date of Vote: July 19, 2004

7.

Concept: Special Education

Statement: The Commission supports legislation which would begin to "phase in" increased state support for Special Education for such programs as services for "high cost" students with disabilities, preschool services, extended school year services, and professional development activities. Increased state support for special education should be provided in a balanced manner with the goal of offsetting local expenditures for special education.

Vote: Consensus

Date of Vote: July 19, 2004

8.

Concept: Finance

Statement: The Commission recommends that all districts must receive adequate funding to cover the costs of operating and maintaining quality public elementary and secondary schools. This includes funding adequate to assure the following:

- An education that meets all standards and laws that govern the operation of public schools. This includes but is not limited to the Board of Public Education's accreditation standards, which constitute the foundation upon which a quality education is to be built.
- That all districts are able to attract and retain quality educators.
- Educational services that directly address the unique needs of all children, which includes at-risk, special needs, cultural differences, limited English proficient, and gifted and talented students.

Vote: Consensus

Date of Vote: September 8, 2004

9.

Concept: Revenue and Taxation Modernization

Statement: The Commission recommends the following revenue and taxation revisions to support school funding:

- a. Implementation of a statewide equalization plan with an emphasis on homeowner equity and uniform property taxation.
- b. Funding the base budget using statewide equalization.
- c. Using **equalized funding** to fund 80-100% (maximized) budget.
- d. Using a balanced taxation approach that includes existing statewide taxes such as property taxes, income taxes, and natural resource taxes

and also considers new revenue such as a general statewide sales tax to be used as a **mechanism for equalization**.

- e. Using a balanced taxation approach that includes existing statewide taxes such as property taxes, income taxes, and natural resource taxes and also considers new revenue such as a general statewide sales tax to be used as a **mechanism for funding quality public schools**.

Vote: Consensus

Date of Vote: August 16, 2004

10.

Concept: Full Day Kindergarten

Statement: The Commission strongly supports the benefits of expanding kindergarten services to improve student learning and achievement and supports the Montana Legislature providing the statutory and budgetary flexibility to school districts so they can offer additional kindergarten services for all students. School districts should receive state funding proportionate to the level of service they provide for kindergarten students ranging from half time to full time programming.

Vote: Majority consensus (dissenting votes recorded)

Date of Vote: August 16, 2004

11.

Concept: Cultural Education

Statement: The Commission supports state-funded Indian Education for All curriculums and policies/rules developed through partnerships led by the Office of Public Instruction, Board of Public Education, and legislature including Indian educators, tribes, and others. These partnerships will develop and implement:

- Policies/rules that support and insure that all schools provide the necessary guidance to the school instructional staff and programs to include culturally appropriate instruction for students.
- Professional development for all school personnel to insure they are adequately prepared to provide instruction and supportive services for all students, including Indian students.
- Curriculum development and supportive instructional resources necessary to meet state accreditation guidelines as well as local district standards to integrate culturally appropriate American/Montana Indian Lessons in all curricular areas in grades K-12 for all students.
- Assessments standards that incorporate measurements for the achievement of all students and are tied to the goals of Indian Education for All.

These partnerships will provide educational opportunities to eliminate the wide disparity in educational achievement that exists between the American Indian students in Montana's Public Schools and their non-Indian peers as clearly documented by educational achievement research and data.

Vote: Consensus

Date of Vote: August 16, 2004

12.

Concept: Flexibility

Statement: The Commission supports state facilitated public/private partnerships for locally based summer programs and extended school programs for identified students.

Vote: Majority consensus (dissenting vote recorded)

Date of Vote: August 16, 2004

13.

Concept: Quality Infrastructure

Statement: The Commission recognizes that adequate infrastructure, in the form of physical plant and equipment, is a key component of a quality educational system. Overcrowded, substandard and inappropriate facilities negatively impact the learning environment. Although the Renewal Commission did not have the time or resources to explore in detail the infrastructure needs of Montana schools, the Commission recognizes:

- The importance of quality infrastructure;
- The unequal resources available to individual school districts to meet their infrastructure needs.

Vote: Consensus

Date of Vote: August 16, 2004
